

**ASSEMBLY BILL**

**No. 2571**

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**Introduced by Assembly Member Mansoor**

February 21, 2014

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An act to amend Section 23356.2 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2571, as introduced, Mansoor. Alcoholic beverages: personal use.

The Alcoholic Beverage Control Act requires, among other things, a license or permit to manufacture beer or wine, except that no license or permit is required for the manufacture of beer or wine for personal or family use, as specified.

This bill would make a nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 23356.2 of the Business and Professions
- 2 Code is amended to read:
- 3 23356.2. (a) No license or permit shall be required for the
- 4 manufacture of beer or wine for personal or family use, and not
- 5 for sale, by a person over 21 years of age. The aggregate amount
- 6 of beer or wine with respect to any household shall not exceed (1)
- 7 200 gallons per calendar year if there are two or more adults in
- 8 the household or (2) 100 gallons per calendar year if there is only
- 9 one adult in the household.

1 (b) Beer or wine produced pursuant to this section may be  
2 removed from the premises where made only under any of the  
3 following circumstances:

4 (1) For use, including tasting by judges, in a bona fide  
5 competition or exhibition.

6 (2) For personal or family use.

7 (3) When donated to a nonprofit organization for use as provided  
8 in subdivision (c).

9 (c) (1) Beer or wine produced pursuant to this section may be  
10 donated to a nonprofit organization for sale at fundraising events  
11 conducted solely by and for the benefit of the nonprofit  
12 organization. Beer and wine donated pursuant to this subdivision  
13 may be sold by the nonprofit organization only for consumption  
14 on the premises of the fundraising event, under a license issued  
15 by the department to the nonprofit organization pursuant to this  
16 division.

17 (2) Beer or wine donated and sold pursuant to this subdivision  
18 shall bear a label identifying its producer and stating that the beer  
19 or wine is homemade and not available for sale or for consumption  
20 off the licensed premises. The beer or wine is not required to  
21 comply with other labeling requirements under this division.  
22 However, nothing in this paragraph authorizes the use of any false  
23 or misleading information on a beer or wine label.

24 (3) A nonprofit organization established for the purpose of  
25 promoting home production of beer or wine, or whose membership  
26 is composed primarily of home brewers or home winemakers, shall  
27 not be eligible to sell beer or wine pursuant to this subdivision.

28 (d) Except as provided in subdivision (c), this section does not  
29 authorize the sale or offering for sale by any person of ~~any~~ beer  
30 or wine produced pursuant to this section.

31 (e) Except as provided herein, nothing in this section authorizes  
32 any activity in violation of Section 23300, 23355, or 23399.1.